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U.S. SECRETARY
FEDERAL MARITIME COMM

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Hon. Bryant L. VanBrakle, Secretary
Federal Maritime Commission
800 North Capitol Street, Room 1046
Washington, DC 20573-0001

Roy G. Bowman
Vice President
Government Affairs

Re: Petition No. P6-03: Petition of Sinotrans Container Lines Co., Ltd.

Dear Mr. VanBrakle:

American President Lines, Ltd. ("APL") hereby comments, pursuant to the Commission's August 13, 2003 Notice, on the petition of Smotrans Container Lines, Co., Ltd. ("Smotrans"), for a full exemption from the first sentence of Section 9(c) of the Shipping Act of 1984, 46 U.S.C. app. §1708(c), to allow it to publish rate decreases effective upon publication.

APL's position on Smotrans' petition is the same as stated in APL's August 8, 2003 comment on Smotrans' earlier petition (subsequently withdrawn) in Docket No. P2-03 and in APL's August 25, 2003 comment on China Shipping Container Lines Co., Ltd.'s petition in Docket No. P4-03. Specifically, APL understands that the representatives of the Government of China and representatives of the United States have reached agreement on a new maritime bilateral agreement between the two countries. Press reports indicate that the Maritime Administration is satisfied with the resolution of the issues between the two countries, one of which affects the access of American-flag carriers to the China trade. Should these reports prove to be true, and if the difficulties recently experienced by APL in securing certain licenses and consents in China were to be eliminated, APL would have no objection to the grant of an appropriate exemption. At the present time, however, the text of the U.S.-China bilateral maritime agreement has not been made public, nor do we have any reliable indications that constraints previously experienced by APL in China will indeed be lifted.

Consideration of foreign policy issues such as those involved in the U.S.-China bilateral negotiations is directly relevant to the petition. The Act specifically identifies the relevance of foreign policy considerations in its provision for Presidential review. APL believes these issues are at the heart of the petition. Accordingly, until such time as these issues are resolved, APL believes that a grant of the petition would be premature.

APL expects to work with representatives of the United States government and the Chinese government to assist in the resolution of these issues, where possible.

Very truly yours,

Roy G. Bowman

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